IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 4813 of 2003

Between:

V.Satyanarayana S/o V.Veeraiah Asst. Registrar
Kakatiya University, Warangal, R/o 2-6-1241,
K.L.N.Reddy Colony,
Subedari, Hanumakonda.

....PETITIONER

AND

The Registrar, Kakatiya University,
Warangal.

..RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the Notice issued by the respondent seeking to retire the petitioner from service on attaining the age of 58 years is arbitrary, illegal, without jurisdiction and contrary to the judgment rendered by the Hon'ble Supreme Court of India and Section 44-A of Kakatiya University Act and consequently direct the respondent herein to continue the petitioner in service as Assistant Registrar in Respondent University till he attains the age of superannuation of 60 years with all consequential benefits of salary and emoluments etc., attached to the post and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : MR.P.R.PRASAD

Counsel for the Respondent:MR.DEEPAK BHATTACHARJEE

The Court made the following :

ORDER

Heard both sides and at their request, the main Writ Petition itself is taken up for disposal.

The learned counsel appearing on either side submit that having regard to the fact that the petitioner has already reached the age of superannuation, the question involved is no longer subsist as the same is covered by the order of a Division Bench of this Court in W.P.No.18144 of 1998, dated 03-10-2001.

Following the same, the Writ Petition is dismissed as in fructuous. However, it is made clear that the retiral and other terminal benefits shall be paid to the petitioner as early as possible. No costs.

28-03-2005.

Hsd

Asst,. Registrar

To

1. The Registrar, Kakatiya University, Warangal.

2. 2 CD copies.